

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CURTIS L. GIBSON,

Plaintiff,

v.

CAPT. CROUCH, JR., *et al.*,

Defendants.

No. 3:17-CV-00547

(Judge Brann)¹

ORDER

APRIL 29, 2020

AND NOW, upon consideration the cross motions for summary judgment (Docs. 57, 150, 157) pursuant to Federal Rule of Civil Procedure 56, and for the reasons set forth in the Court's Memorandum Opinion of the same date, **IT IS HEREBY ORDERED** that:

1. The Clerk of Court is directed to **VACATE** the Court's prior Memorandum (Doc. 105) and Order (Doc. 106).
2. Plaintiff's motion (Doc. 157) for summary judgment is **DENIED**.
3. Defendants' motions for summary judgment (Docs. 57, 150) are **GRANTED**.

¹ This matter has been reassigned to the undersigned following the death of the Honorable James M. Munley.

4. The Clerk of Court is directed to **ENTER** judgment in favor of Defendants and against Plaintiff.
5. The Clerk of Court is further directed to **CLOSE** this case.
6. Any appeal from this Order is deemed frivolous and not in good faith.
See 28 U.S.C. § 1915(a)(3).

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge